IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

F.A.O. NO. 4533 of 2006
Date of Decision: 28.9.2006

Mange Ram.

..... Appellant

Versus

Satish Toppo and another.

..... Respondents

CORAM: Hon'ble Mr.Justice Uma Nath Singh
Hon'ble Mr.Justice Mahesh Grover

....

Present: Shri Vikas P.Singh, Advocate for the appellant.

....

Mahesh Grover,J.

The appellant has assailed the liability fastened upon him by Motor Accident Claims Tribunal, Gurgaon in M.A.C.T. Petition no.169 of 2002, decided on 6.12.2005, on the ground that the offending vehicle involved in the accident did not belong to him on the date of accident as he had sold the same to one Ajit Singh son of Dharmbir, who had further sold it to Kartar Singh son of Daya Nand.

A perusal of the record shows that the appellant was the registered owner of the vehicle in question and despite his assertion that the same had been sold to other persons, yet, the necessary procedure as is envisaged under Section 50 of the Motor Vehicles Act,1988 had not been

complied with. The provision of law being mandatory, its non-compliance cannot absolve the appellant from his liability.

There is no error or infirmity in the findings recorded by the Tribunal and the appeal being devoid of any merit is dismissed as such.

(Uma Nath Singh)
Judge

(Mahesh Grover)
Judge

September 28,2006
"SCM"